



General Assembly

Amendment

February Session, 2014

LCO No. 4880

SB0018604880HR0

Offered by:
REP. SAMPSON, 80th Dist.

To: Senate Bill No. 186

File No. 58

Cal. No. 416

(As Amended by Senate Amendment Schedule "A")

***"AN ACT CONCERNING DISPENSATION AND INSURANCE
COVERAGE OF A PRESCRIBED DRUG DURING REVIEW OF AN
ADVERSE DETERMINATION OR A FINAL ADVERSE
DETERMINATION."***

1 Strike subparagraph (C) of subdivision (1) of subsection (b) of
2 section 1 in its entirety and insert the following in lieu thereof:

3 "(C) (i) If the review under subparagraph (A) of this subdivision is a
4 review of a grievance involving a prospective review request relating
5 to the dispensation of a drug, other than a schedule II or III controlled
6 substance, prescribed by a licensed participating provider, the health
7 carrier shall issue immediate electronic authorization to the covered
8 person's pharmacy for the dispensation of a one-time fourteen-day
9 supply of such drug. Such authorization shall include confirmation of
10 the availability of payment for such supply of such drug. The
11 provisions of this subparagraph shall not apply to a grievance or
12 review of an adverse determination under this section concerning the

13 substitution of a generic drug or another brand name drug for a
14 prescribed brand name drug unless the prescribing licensed
15 participating provider has specified that there shall be no substitution
16 for the specified brand name drug.

17 (ii) Notwithstanding subparagraph (B) of this subdivision, there
18 shall be a copayment imposed by such health carrier for such fourteen-
19 day supply of such drug, which shall be the same copayment imposed
20 by such health carrier for a thirty-day supply of such drug."

21 Strike subdivision (4) of subsection (c) of section 2 in its entirety and
22 insert the following in lieu thereof:

23 "(4) (A) If the review under subdivision (1) of this subsection is a
24 review of a grievance involving an adverse determination of a
25 prospective review request relating to the dispensation of a drug, other
26 than a schedule II or III controlled substance, prescribed by a licensed
27 participating provider, the health carrier shall issue immediate
28 electronic authorization to the covered person's pharmacy for the
29 dispensation of a one-time fourteen-day supply of such drug. Such
30 authorization shall include confirmation of the availability of payment
31 for such supply of such drug. The provisions of this subdivision shall
32 not apply to a grievance or review of an adverse determination under
33 this section concerning the substitution of a generic drug or another
34 brand name drug for a prescribed brand name drug unless the
35 prescribing licensed participating provider has specified that there
36 shall be no substitution for the specified brand name drug.

37 (B) Notwithstanding subdivision (3) of this subsection, there shall be
38 a copayment imposed by such health carrier for such fourteen-day
39 supply of such drug, which shall be the same copayment imposed by
40 such health carrier for a thirty-day supply of such drug."